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**REMARKS** 

Claims 1-34 are pending in the application and stand rejected. Applicants have not

amended the claims. In light of the following remarks, favorable reconsideration is earnestly

solicited.

The claims are presently rejected under 35 U.S.C. § 102(b), however, Applicants

respectfully submit that Nakata is not proper prior art under 35 U.S.C. § 102(b). The present

application was filed on February 26, 2002. Nakata was published on May 15, 2003. Thus, §

102(b) is not applicable because the present application was filed before the reference was

published.

Claim Rejections - 35 U.S.C. §112

Claims 1, 4, 11, 13, 16, 17, 19, 25 and 33 stand rejected under 35 U.S.C. §112, first

paragraph, as failing to comply with the written description requirement.

Regarding the § 112 rejection, Applicants respectfully traverse. Specifically, the Examiner

contends the word "automatic" is unsupported by the specification. In addition to the Examiner's

Supervisor agreeing to this amendment during an interview conducted on October 4, 2007, the

limitation is supported by the specification.

The term was put there to distinguish from a person performing the particular function.

No person performs this feature in the claimed invention. As such, the amendment further

distinguishes the claimed invention from being performed by an operation of a person. Although

the term automatic is not explicitly recited in the specification, it should be apparent to a person

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having ordinary skill in the art that an individual is not performing the function. As such, the

amendment is supported.

Regarding the phrase "plurality of frames," this phrase was added in order to distinguish

from a still image simply being renewed on a screen. In other words, the Examiner was

considering a "main video" to be a still image renewed on a display screen. Simply stating a "first

main video" should provide § 112 support for the limitation of "a plurality of frames." A "video"

typically constitutes a plurality of frames.

On the Merits

Claim Rejections - 35 U.S.C. §102

Claims 1-34 stand rejected under 35 U.S.C. §102(b) as being anticipated by Nakata et al.

(US Publication 2003/0091329).

Independent Claim 1:

Independent claim 1 requires in part:

means for renewing the display of the time information sequence and the still image sequence by automatically synchronizing with the current playback time

of the video while playing back the video.... Emphasis added.

To begin, Applicants note that the term "automatically" was added to the claim in the

Request for Continued Examination (RCE) filed on October 31, 2007. As indicated above, this

term was added to further distinguish the claimed invention from Nakata in that the claimed

invention did not have any person performing the particular synchronizing task. In fact, in the

Examiner's Interview Summary, it specifically states:

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the proposed amendment to claims 1 and 4 by adding "automatically" appear to

overcome the applied reference.

As the Examiner has not examined claim 1 with the above mentioned feature, Applicants

respectfully submit that the rejection is inappropriate. Applicants are entitled to have the claims

of record examined. As the Office has not done this, Applicants ask the claims of record to be

examined.

Furthermore, Applicants submit that the next Office Action should also be a Non-Final

Office Action.

<u>Independent Claim 4:</u>

Independent claim 4 also requires the newly added feature of "automatically" performing a

function, specifically, "automatically synchronizing with the video data at a constant transmission

rate." As indicated above, during the interview with the Examiner, the Examiner agreed that this

amendment overcomes the Nakata reference.

However, as with claim 1, the Examiner has not examined claim 4 with this limitation. As

such, Applicants ask the Examiner to address this feature in the next Office Action.

Independent Claim 11:

Independent claim 11 also requires the "automatic" feature. The Examiner uses the same

rationale to reject claim 11 as used to reject claim 1. As discussed above regarding claim 1, the

rejection is not appropriate.

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<u>Independent Claim 13:</u>

Independent claim 13 requires in part:

a main video playback means for playing back a plurality of frames of a first main video file designated by the video information described in the video

description file.... Emphasis added.

The phrase "a plurality of frames," indicated in bold, was added to the claim in order to

further distinguish the claimed invention from Nakata. As discussed above, the Examiner was

taking a broad view that because a still image is continually refreshed, it constitutes a video.

The Examiner however has failed to examine this newly added feature of claim 13. As

such, Applicants ask the Office to examine the claims of record.

Independent Claims 16, 17 and 19:

Independent claims 16, 17 and 19 each contain a similar limitation as that required by

claim 13. As the Office has not examined the newly amended claims, as discussed above

regarding claim 13, Applicants respectfully submit that the rejection is inappropriate.

Independent Claim 25:

Independent claim 25 requires in part:

means for delivering the scene description file which describes the scene of the video file described in the video description file from the server by automatically

synchronizing with said main video data at a constant transmission rate.

Emphasis added.

We note that the Examiner has examined the claim with respect to the newly added

limitation "automatically," as shown in bold. The Examiner contends this feature is disclosed

paragraphs [0224] and [0264]. Paragraph [0224] describes figures 18A to 18E and discusses the

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different icons displayed when different tasks are performed. Paragraph [0264] describes Fig. 20

and in particular discusses step 306.

The task described in step 306 is to "search material." However this does not disclose any

sort of "synchronizing" as required by claim 25. Furthermore, there does not appear to be a

"synchronizing" of any "scene description file" with the main video data. In fact, there is not any

reference to data describing any scene played in the video file, as required by claim 25. As such,

Applicants respectfully traverse the rejection.

**Independent Claim 33:** 

Independent claim 33 requires a feature a playing back a plurality of frames of a video. As

the Examiner uses the same rationale for rejecting claim 33 as was used to reject claim 16, the

same rationale in traversing the rejection also applies. That is, the Examiner has not addressed the

above mentioned feature of claim 33, (or claim 16) included in the claims to further distinguish

the claimed invention from the cited art.

Independent Claim 34:

Independent claim 34 requires in part:

a main video playback means for playing back a first main video file designated

by the video information described in the video description file;

The Examiner contends this feature is disclosed in paragraph [0172]. Here Nakata

discusses setting an in point and out point of the video being viewed. However, this does not

disclose any sort of video information described in a video description file. As such, Applicants

respectfully traverse the rejection.

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In view of the aforementioned remarks, Applicants submit that the claims are in condition for allowance. Applicants request such action at an early date.

If the Examiner believes that this application is not now in condition for allowance, the Examiner is requested to contact Applicants' undersigned attorney to arrange for an interview to expedite the disposition of this case.

If this paper is not timely filed, Applicants respectfully petition for an appropriate extension of time. The fees for such an extension or any other fees that may be due with respect to this paper may be charged to Deposit Account No. 50-2866.

Respectfully submitted,

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